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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	Y	ATTORNEY DOCKET NO.
08/826,744	04/07/97	IWASAKI		

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ONJAK EXAMINER

ART/UNIT	PAPER NUMBER
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10/08/98 6

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/826,744

Applicant(s)

Iwasaki

Examiner

Christopher Onuaku

Group Art Unit

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- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-9 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-9 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☒ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-3&6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Windrem et al.(US 5,754,730).

Regarding claim 1, Windrem discloses a digital video recording system employing standard hard disk arrays employs a cashe management and disk utilization system to enable continuous video/audio data to be supplied to and provided from standard disk drives comprising:

a) the claimed receiving means for receiving a data stream in which a plurality of audio data and video data or one of the same are multiplexed in a predetermined order(see input/output 19 for audio/video data channels, and col.2, lines 12-27);

b) the claimed multiplexing/demultiplexing means(see cache 14 which contains DMA controllers, and col.2, lines 51-65, and col.5, lines 10-17); and

c) the claimed plurality of recording means(see disk array 12, and col.2, lines 19-27);

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Regarding claim 2, Windrem discloses wherein each of the plurality of recording means adopts a mirror configuration having a plurality of recording apparatuses for recording the same audio and/or video data(see col.3, lines 22-30).

Regarding claim 3, Windrem discloses wherein each of said plurality of recording means adopts an array configuration in which a plurality of recording apparatuses are connected in parallel (see disk array 12, and col. 3, lines 31-52).

Regarding claim 6, Windrem discloses wherein the plurality of audio and/or video data recording and reproducing apparatuses are connected in parallel, and the data stream is input and output among these plurality of audio and/or video data recording and reproducing apparatus (see Fig. 1; disk array 12, and col. 3, lines 31-52).

Regarding claim 7, the limitations of claim 7 are accommodated in the discussions of claim 1 above.

Regarding claim 8, Windrem discloses wherein each of the demultiplexed plurality of audio and/or video data is recorded on a plurality of recording media to perform backup for them(see redundant data controller 99, and col.2, lines 28-40).

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Regarding claim 9, the claimed limitations of claim 9 are accommodated in the discussions of claim 3 above.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4&5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windrem in view Nakayama et al(US 4,947,271).

Regarding claim 4, Windrem fail to explicitly disclose wherein control data is multiplexed on data stream, the demultiplexing means demultiplexes the control data multiplexed on the data stream, and provision is made for controlling a recording operation of the recording means and reproduction operation of the reproducing means based on the demultiplexed control data. Nakayama teaches in Fig.7 a recording/reproducing means that in the recording process multiplexes recorded data signals to which ID data(control data) had been added. In the reproduction process, these multiplexed data signals are later reproduced, demultiplexed and the ID data extracted (see col.7, line 34 to col.10, line 19). It desirable to record data signals with their respectable control data (e.g. ID data), and then multiplex the data signals with the control data in order to facilitate the recovery of the data signals during the reproduction process when

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the data signals are demultiplexed. To make these processes efficient there is inherently a control means that controls , based on the control data, the recording/reproduction of the data signals.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Windrem by realizing Windrem with a means add control data to data signals, during the recording process, before multiplexing, as taught by Nakatama, in order to facilitate the recovery of the data signal, during the reproduction process when the data signals are reproduced and demultiplexed. Furthermore, it would have been obvious to realize Windrem with a control means in order to make these controlled recording/reproduction processes efficient.

Regarding claim 5, Nakayama teaches wherein at least one of the plurality of recording means and the plurality of reproducing means performs operation in synchronization with a synchronization signal of the data stream(see Fig.6, and col.3, lines 8-37)

Conclusion

5. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399 (for informal or draft communications, please label


"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be direct
to the Group receptionist whose telephone is (703) 305-4700.


COO

9/30/98


Wendy Garber
Supervisory Patent Examiner
Technology Center 2700